**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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| Applicant | : | **Muhammad Athar Shah and Michael J. Horowitz** | |
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| Examiner | : | **Anand Shashikant Rao** | |
| Docket No. | : | **199-0201US** | |
| Customer No. | : | **29855** | |
| Title | : | **METHODS FOR ENCODING OR DECODING IN A VIDEOCONFERENCE SYSTEM TO REDUCE PROBLEMS ASSOCIATED WITH NOISY IMAGE ACQUISITION** | |

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## RESPONSE TO NOTICE OF NON-COMPLIANT APPEAL BRIEF

Attached please find replacement sections of the Appeal Brief filed April 4, 2009 per the Notice of Non-Compliant Appeal Brief mailed June 19, 2009.

Respectfully Submitted,

July 13, 2009

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## V. SUMMARY OF CLAIMED SUBJECT MATTER

This section provides a concise explanation of the subject matter defined in each of the independent claims involved in the appeal, referring to the specification by paragraph and line number and to the drawings by reference characters as required by 37 CFR § 41.37(c)(l)(v). Where applicable, each element of the claims is identified with a corresponding reference to the specification and drawings. Citation to the specification and/or drawings does not imply that limitations from the specification and drawings should be read into the corresponding claim element. Additionally, references are not necessarily exhaustive, and various claim elements may also be described at other locations.

Independent claim 1 recites a method implementable on an encoder (¶ 0028 ll. 3-6) for adjusting a coding threshold (¶ 0028 ll. 4-6) for encoding a block in an image (¶ 0028 l. 6), wherein the coding threshold determines whether the block should be coded (¶ 0028 ll. 7-8), comprising:

- encoding, at a first time, a first image representation of the block using first encoding parameters generated by the encoder (¶ 0031);
- encoding, at a second time later than the first time, a second image representation of the block using second encoding parameters generated by the encoder (¶ 0030);
- assessing at least the first and second encoding parameters to determine whether the image is likely stationary wherein the first and second encoding parameters comprise at least first and second quantization parameters (¶¶ 0030 ll. 5-8, 0031 ll. 1-9; Fig. 5 elements 100, 102, 104, 106, 108, 110); and
- if the image is likely stationary, adjusting the coding threshold in the encoder for at least a portion of the block (¶ 0031 ll. 12-13; Fig. 5, elements 104, 110, 114).

Independent claim 13 recites a method implementable on an encoder (¶ 0028 ll. 3-6) for adjusting a coding threshold (¶ 0028 ll. 4-6) for encoding a block in an image (¶ 0028 l. 6), wherein the coding threshold determines whether the block should be coded (¶ 0028 ll. 7-8), comprising:

- encoding, at a first time, a first image representation of the block using at least a first quantization parameter and a first motion vector generated by the encoder (¶

0031; Fig. 5 element 108, 110);

- encoding, at a second time later than the first time, a second image representation of the block using at least a second quantization parameter and a second motion vector generated by the encoder (¶ 0030; Fig. 5 element 102, 104); and
- adjusting the coding threshold in the encoder for at least a portion of the block if the first and second motion vectors are substantially zero and if the first and second quantization parameters are respectively less than first and second quantization parameter thresholds (¶ 0031 ll. 12-13; Fig. 5, elements 104, 110, 114).

Independent claim 21 recites a method implementable on a decoder capable of displaying a block of an image on a display (¶ 0037; Fig 6), comprising:

- receiving from an encoder, at a first time, a first image representation of the block including first encoding parameters generated by the encoder (¶ 0037 ll. 4-7);
- receiving from an encoder, at a second time later than the first time, a second image representation of the block including second encoding parameters generated by the encoder (¶ 0037 ll. 4-7);
- assessing at the decoder whether the image is likely stationary using at least the first and second encoding parameters, wherein the first and second encoding parameters include at least first and second quantization parameters (¶ 0037 ll. 10-12; Fig. 2 elements 202, 208); and
- if the image is likely stationary, not updating at least a portion of the block on the display (¶ 0037 ll. 12-15; Fig. 2 element 212).

Independent claim 31 recites a method implementable on an encoder (¶ 0028 ll. 3-6) capable of transmitting image information to a decoder, comprising:

- encoding, at a first time, a first image representation of the block using first encoding parameters generated by the encoder (¶ 0031);
- encoding, at a second time later than the first time, a second image representation of the block using second encoding parameters generated by the encoder (¶ 0030);

- assessing at least the first and second encoding parameters to determine whether the image is likely stationary, wherein the first and second encoding parameters comprise at least first and second quantization parameters (¶¶ 0030 ll. 5-8, 0031 ll. 1-9; Fig. 7 elements 302, 304, 308, 310); and
- if the image is likely stationary, sending a no code signal to a decoder for at least a portion of the block. (¶ 0038)

## VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

Independent claims 1, 13, 21, and 31 were each rejected under 35 U.S.C. § 103(a) as being anticipated by US Patent 5,231,484 to Gonzales ("Gonzales") in view of US Patent 6,360,017 to Chiu ("Chiu"). Review of this rejection is sought.

Remaining claims 2-6, 9-12, 14-20, 22-26, 29-30, 32-36 and 39-40, which each depend from one of the above mentioned independent claims, were also rejected under these references or other rejections including these reasons. For the reasons set forth below, Gonzales and Chiu, jointly or individually, do not render obvious the independent claims. Therefore, separate review of these rejections is not sought, as the dependent claims are necessarily patentable for at least the same reasons as the independent claims.